

2008 LICENSE RENEWAL NEWS

Due to an extraordinarily high number of new applicants over the past two years as well as conservative budgetary spending, the Commission has found itself in the unusual position of having too much money in its fund. Therefore, in order to ensure this problem is not repeated, renewal fees for 2008 have been temporarily reduced to \$10, regardless of what type of license you hold or in which state you reside. However, to encourage proper and timely renewals, the delinquent fees will remain at \$50 per month, up to the \$200 cap.

Another piece of good news is that many of you will not have to submit copies of your CE certificates with your renewals. We have been able to input CE courses into our computer system and (just like the old days for those licensed prior to 1998) those course completions will be reflected on your renewal. You will be directed to only submit certificates for any remaining hours still needed to complete your 12 hour requirement.

Due to a rule change, the office will no longer consider Individual Requests for Continuing Education (ICE) applications that are submitted less than 90 days prior to the end of the respective renewal period. In other words, a broker wanting to receive credit for a course he took that was not a Missouri approved CE course, must submit that request prior to March 31, 2008 for consideration to be given. Those individuals who do not follow this guideline and do not complete their CE requirements by June 30th will find their renewal rejected and they will not be able to conduct real estate activity until they have submitted proof of completing the 48-hour pre-examination course. The same rule will apply for salespersons with the deadline being June 30, 2008 for ICE applications.

Every renewal period, countless hours are spent duplicating lost renewals. Please help us help you. Keep your renewal in a safe place and return it well before the due date. However, if you should be unable to locate your renewal, the easiest way to request a duplicate renewal is to provide the necessary information on our website. Look for the specific Duplicate Renewal Request icon on our website at: www.pr.mo.gov/realestate.asp

To avoid rejection and a possible disruption in your real estate activities, make sure your renewal is sent early, properly completed, including the renewal fee, and signed.

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Governor

The Honorable Matt Blunt

**Department of Insurance,
Financial Institutions
and Professional Registration**
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Division of Professional Registration
David Broeker, Director

Missouri Real Estate Commission

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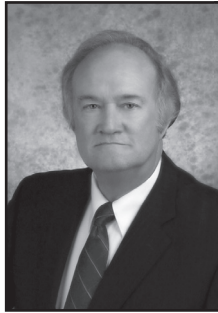


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Division of Professional Registration

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MESSAGE FROM DIVISION DIRECTOR



The Division of Professional Registration has had a busy and successful 2007. It was a year of significant and beneficial accomplishments, not the least of which was a legislative session where 14 of our 16 proposals were truly agreed to and finally passed and signed into law by Governor Matt Blunt.

Legislation also signed into law by the Governor created the Board of Private Investigator Examiners which went into effect August 28, 2007. This board consists of 5 members, three private investigators and two public members appointed by the Governor with advice and consent of the Senate.

With the addition of the Private Investigator Examiners, the Division of Professional Registration now houses 18 administrative boards, 13 non-administrative (autonomous) boards and 8 advisory boards:

18 Administrative Boards

- Office of Athletics
- Endowed Care Cemeteries
- State Committee of Dietitians
- Board of Geologist Registration
- Board of Examiners for Hearing Instrument Specialists
- Interior Design Council
- Marital & Family Therapists
- Board of Therapeutic Massage
- Board of Occupational Therapy
- Committee for Professional Counselors
- State Committee of Psychologists
- Missouri Real Estate Appraisers Commission
- Missouri Board for Respiratory Care
- State Committee for Social Workers
- Office of Tattooing, Body Piercing & Branding
- Missouri Office of Athletic Agents
- Board of Private Investigator Examiners

13 Non-Administrative Boards

- Board of Accountancy
- Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects
- Board of Chiropractic Examiners
- Board of Cosmetology & Barber Examiners
- Missouri Dental Board

MESSAGE FROM DIVISION DIRECTOR CONTINUED...

- State Board of Embalmers & Funeral Directors
- State Board of Registration for the Healing Arts
- Missouri State Board of Nursing
- State Board of Optometry
- Missouri Board of Pharmacy
- State Board of Podiatric Medicine
- Missouri Real Estate Commission
- Missouri Veterinary Medical Board

8 Advisory Boards

- Advisory Commission for Dental Hygienists
- Advisory Commission for Anesthesiology Assistants
- Missouri Acupuncturist Advisory Commission
- Athletic Trainer Advisory Commission
- Advisory Commission for Clinical Perfusionists
- Advisory Commission for Physical Therapists
- Advisory Commission for Registered Physician Assistants
- Advisory Commission for Speech Pathologists & Clinical Audiologists

On September 26, 2007, the Division held a board orientation and update. The Honorable Jay Wasson, District 141, Missouri House of Representatives, headlined the state officials and Division staff who participated in the day-long event. Representative Wasson is Chairman of the House Professional Registration Committee and offered considerable insight on the legislation process. Special thanks to Representative Wasson for joining us during the afternoon session. We were also pleased to have participation from staff members of the Governor's Office, Secretary of State's Office, and the Joint Committee on Administrative Rules.

The Division Mission is:

- Protect the Public...
from incompetence, misconduct, gross negligence, fraud, misrepresentation and dishonesty.
- License only "qualified" professionals...
by examination and evaluation of minimum competency.
- Enforce standards...
by implementing legislation and administrative rules.

I am proud to be associated with a team of dedicated employees who take this mission seriously.

VIEW FROM THE CHAIR

Once again it is hard to believe that renewal time is upon us. We had hoped to have an automated system ready for you that would allow you to renew on-line and to be able to check CE via the web, but due to the fact the Management Information Systems unit has been unsuccessful at its repeated attempts to fill a vacated position, this was not accomplished. However, we have been able to post CE to each licensee's file. Renewals will identify the courses you have taken as of March 31, 2008 for brokers and June 30, 2008 for salespersons, thus requiring you to only submit proof of CE not listed on your renewal.

Also, due to an unexpected increase in licensees over the past two years causing a surplus in revenues, we have reduced the cost of renewal for this period to \$10.

Another new development is underway. After conducting open forums on fingerprinting and inducements at Commission meetings this past year and after speaking at several Boards of REALTORS as well, the Commission has voted to mandate fingerprinting of real estate applicants and licensees. In our discussions with licensees for the past year, it was apparent that the licensees felt fingerprinting of all new and renewing licensees would be best. Regulations are being drafted and it is anticipated that the process will initially begin with only new applicants and then a tiered process for licensees. More details will be made available once the rules are actually proposed, but we are confident that the process will not be complicated or lengthy. It is estimated the cost to the licensee/applicant will be a one time fee of approximately \$50 – \$70.

The opinions voiced regarding inducements were much more varied and ranged from the desire to allow “no inducements” to “no restrictions.” The Commission has decided to take no action at this time and leave existing inducement laws in place.

We continue to be deeply involved in the investigation and elimination of mortgage fraud and our Executive Director serves on the state's mortgage fraud task force. If you know about an instance of mortgage fraud in your area, please let us know as soon as possible.

One other point I would like to share. On more than one occasion I have had questions regarding the correct use of real estate contract forms. While the Commission does not prepare or approve any real estate contract forms, we do occasionally review their use and have advised users when we feel a form is not in compliance or may be confusing to the licensee or consumer. As you take CE courses, keep in mind that the forms a CE instructor teaches may not be those used in your area. Please be sure that you know what forms are approved by your attorney or by the professional organization of which you are a member. It is possible that the forms being used in your office are different from those being taught.

Please remember you are always welcome at the open sessions of our Commission meetings. We are glad to have you, and you may learn where and when we will be holding meetings of the Commission by consulting the website or calling the office in Jefferson City.

Sharon Keating
Chairman

**HERE ARE SOME IMPORTANT DATES AND SNIPPETS OF INFORMATION
YOU MAY WANT TO KEEP HANDY FOR RENEWAL TIME:**

Be sure to verify that the printed information on your renewal application is correct or make the necessary corrections on the application.

INITIAL RENEWAL NOTICE TO BE MAILED:

Brokers - Late April 2008

Salespersons - Late July 2008

TARGETED RETURN DATE:

Brokers - June 1, 2008

Salespersons - September 1, 2008

EXPIRATION DATE:

Brokers - June 30, 2008

Salespersons - September 30, 2008

LICENSE RENEWAL FEES:

For the 2008 renewal period, renewal fees will be \$10.00 for each license regardless of license type or state of residence.

LATE FEES:

\$50 per month, maximum of \$200.00 (Late fees will not be prorated)

LATE RENEWALS:

If a renewal application is postmarked after the deadline, the Missouri Real Estate Commission's records will reflect a break in licensure between the renewal expiration date and the date the renewal is actually received. By law, you cannot perform real estate activities unless you can prove you are duly licensed. Furthermore, you are subject to discipline by the Commission if you engage in brokerage activities at a time when you were not properly licensed.

DUPLICATE RENEWALS:

If you are unable to locate your renewal notice, you can request a duplicate renewal application on our website, www.pr.mo.gov/realestate.asp, by clicking on the Duplicate Renewal Request icon.

OVERNIGHT DELIVERY ADDRESS:

Missouri Real Estate Commission Renewal

3605 Missouri Boulevard

Jefferson City MO 65109

COMMON RENEWAL MISTAKES

1. Incomplete or inaccurate renewals. Renew early and carefully! Every year we return hundreds of renewals for correction, i.e. no fee, questions not answered, or no signature. Please make sure your application is completed fully, you have signed the application and payment is enclosed.
2. Failing to complete or provide proof of continuing education. If your application indicates continuing education certificates are needed, you must provide copies of any hours indicated as still needing to be fulfilled. We will not renew your license without copies of the needed certificates.
3. Postmarked after the renewal expiration date. Only applications with a U.S. Postal Service or a recognized common carrier postmark will be accepted as a means of complying with deadlines. Postal meters are not sufficient to meet this requirement and late fees will be assessed according to the receipt date as affixed by the U.S. Postal Service or recognized common carrier.
4. Transfer or change of license status sent separately. In order to transfer or change your license status and pay only the renewal fee, you must submit the completed Application for License/Information Change along with the renewal notice and the wall license in one envelope. Doing this will allow you to renew and transfer your license all for only \$10.00. If your license has been returned to the Commission prior to the renewal of your license you will be required to pay both fees and submit payment in two separate checks - one in the amount of \$10.00 for the renewal and one in the amount of \$50.00 for the transfer/status change.

ADDRESS CHANGES

During renewals, the Missouri Real Estate Commission (MREC) has an overwhelming amount of mail returned due to old address information which means licensees are forgetting to provide timely notice of a change of address. All licensees and brokerages are required by law to notify the Commission of an address change within ten days. The form is available on our website, www.pr.mo.gov/realestate.asp under 'Application Forms.' This Address or Name Change Application form may be mailed or faxed to the MREC. Our fax number is 573-751-2777.

You can verify that the Commission has your correct address by going to our website, www.pr.mo.gov/realestate.asp and clicking on "Licensee Search." If the address shown is incorrect then print out an Address or Name Change Application from our website, complete the form and return it to the Missouri Real Estate Commission.

LICENSE RENEWAL VERIFICATION

Our website allows you to go on-line and check to see if your renewal has been processed. Visit www.pr.mo.gov/realestate.asp and click on "Licensee Search." Select 'licensee name.' Be sure to follow the instructions on how to enter the requested information (i.e. Doe, John). You will receive an on-line results page. Click on 'detail' and it will take you to a page where you can check your address information and view your expiration date. If you have renewed, it will reflect an expiration date of 2010. The later you send in your renewal, the longer it will take to process as renewal volume increases the last few weeks. Please check the website first before placing a call to the Missouri Real Estate Commission about your renewal.

LICENSES RETURNED TO COMMISSION

The Commission reminds all licensees that if their license is returned to the Commission a notice is automatically sent to the last known home address in our file, advising them of the need to transfer their license within 6 months. Recently the Commission has had several cases where the licensee completed the application for status change and then relied on their new broker to submit the paperwork in a timely fashion. The broker submitted the paperwork late (or not at all) and the licensee then had to complete the salesperson pre-examination course in order to reactivate their license.

There have also been several instances where the license was placed on inactive status and then suddenly the licensee realized that was not what they intended to do. They thought they had six months to decide their options, even though the application clearly states that going inactive requires the licensee to retake the pre-examination course before they can reactivate their license.

Please be aware of your deadlines and the ramifications of your actions. Read all documentation and ask questions before you submit your request since the requirements cannot be waived.

AFFILIATION VERIFICATION

Every day Commission staff receives requests for verification of a licensee's broker affiliation. Even though the Division's on-line Licensee Search provides verification of licensure, license number and license expiration, it does not provide the licensee's broker affiliation which is very important when trying to verify if a transfer to another company has been completed.

***However, by accessing the Division's Downloadable Listings you can easily obtain this information.
Follow these simple steps:***

1. Access www.pr.mo.gov/realestate.asp
2. Click on Downloadable Listings on the top of the web page
3. Select Real Estate Commission
4. Click on the file you need to download
5. Click on Save
6. Click on Close
7. Double click on the saved file
8. Click on Run to execute the file - two files will be downloaded – a file layout (i.e. FILER EL.TXT) and a text file containing the selected license type (i.e. SAL.TXT)
9. Open Excel and click on File, Open, and pull in the license type text file. You may need to change your file type to ALL FILES so you can access the TXT file.
10. Click on Next, Next, Finish (Settings should automatically default to "Delimited" and "Tab" settings.)

Your listing is now in an easy to use format that you can sort alphabetically, by license number or even alphabetically by broker affiliation!

REMINDER!

Licensees are reminded to keep copies of any and all applications and/or forms that they submit to the Missouri Real Estate Commission (MREC). Occasionally, these forms are lost in the mail and the MREC never receives them. Maintaining a copy of the application can save you from having to re-execute a new application.

The MREC also receives frequent requests from brokers asking for copies of recently submitted forms when an agent is transferring. Due to closed records laws, the Missouri Real Estate Commission cannot provide copies of applications to anyone other than the licensee making the application.

FICTITIOUS NAMES

A broker doing business under any name other than that on the license must register a fictitious name with the Secretary of State and must furnish the Commission a copy of the registration. Guidelines are:

- a. An individual broker's true first name can be abbreviated and registration is not required.
- b. Additions after the licensee's name are considered fictitious.
- c. Exclusion of middle initials does not require registration.

For example, fictitious name registration would apply as follows for a fictional licensee named Robert Johnson:

- *Robert Johnson Real Estate – fictitious*
- *Robert Johnson Realty & Management – fictitious*
- *Rob Johnson – not fictitious*
- *Rob Johnson Real Estate – fictitious*
- *Bob Johnson – not fictitious*
- *Bob Johnson Real Estate – fictitious*
- *Johnson Real Estate – fictitious*

Any deviation from the licensed name of a corporation, LLC or partnership is considered fictitious and must be registered, including abbreviations of the words "Incorporated," "Company," "Corporation" and other types of business entities. For example, if the licensee was Right & Company the following would apply:

- *Right and Company – fictitious*
 - *Right & Company Real Estate Agents – fictitious*
 - *Right & Co. – fictitious*
-

RENEWAL OF FICTITIOUS NAME REGISTRATION

In 2004, the Secretary of State (SOS) issued a statement saying that pursuant to House Bill 1664, fictitious name registrations would need to be renewed every 5 years. All fictitious names filed prior to the legislation would be up for renewal on August 28, 2009.

Therefore, effective immediately, the MREC has decided that when conducting an audit, the examiners will review all fictitious names against the SOS register to verify they are still current. If the fictitious name is not current, and the licensee is using it, the examiner will cite them for use of an unregistered fictitious name. If the fictitious name is not current and they are not using it, the examiner will advise the broker to provide a written statement to the MREC requesting that the fictitious name be removed from the MREC records.

MORTGAGE FRAUD TASK FORCE PROVIDES TIPS TO BUYERS, SELLERS

In an effort to help both consumers and professionals recognize mortgage fraud, the Department of Insurance, Financial Institutions and Professional Registration task force created a list of quick tips for both buyers and sellers.

The task force was prompted by Governor Matt Blunt's reorganization of this department. His changes allowed individuals from the Division of Finance, Insurance Consumer Affairs Division, the Missouri Real Estate Commission and the Missouri Real Estate Appraisers Commission to create a prompt and comprehensive approach to combating this problem.

The committee will continue to look for ways to educate lenders, mortgage brokers, real estate licensees, appraisers and consumers about this issue by communicating with individuals from these fields and law enforcement already working to crack these mortgage fraud cases.

Seller Tips:

- Get references for real estate and mortgage professionals. Make sure they're licensed with the state, etc.
- Consult with a reputable real estate professional to determine the sale price of your home. Be wary of an offer to buy your home for an amount substantially higher than the listed sale price.
- Be cautious of someone asking to buy your property when it is not listed for sale.
- Never sign blank or incomplete documents. Read and understand the documents before you sign them.
- Do not help the borrower 'qualify' for financing by agreeing to sell your home for an amount above the asking price with the understanding that you will refund or forgive the difference after closing.

Buyer Tips:

- Don't buy more house than you can truly afford.
- Be extremely wary of 'no money down/cash back at closing' investment opportunities.
- Be wary of assurances from others that they will assume responsibility to pay a mortgage in your name.
- Never allow someone to buy property in your name with the agreement that you will sell the property at a later date and split the profit.
- Do your homework. Check the sales history of the property – several sales within a short period of time could indicate inflated values. Consult with your own real estate agent or appraiser to establish the value.
- Read and understand everything you are asked to sign. If necessary, consult your attorney.
- Do not sign any documents with information left blank or that contain inaccurate information.
- Review a copy of the 'final' settlement statement prior to closing. Don't be rushed through the closing. Ask questions if you do not understand what you are signing.
- If a deal seems too good to be true, it probably is.

INVESTIGATOR CORNER

Inducements

Missouri statute, 339.100.2(13) RSMo, prohibits the use of inducements to secure customers or clients to purchase, lease, sell or list property when the awarding of such inducements or other valuable consideration is conditioned upon the purchase, lease, sale or listing. This statute further prohibits the offering of prizes for the purpose of influencing a purchaser or prospective purchaser of real estate.

Also, a licensee cannot credit any portion of their commission to an unlicensed buyer and/or seller. Payment or crediting of commission to an unlicensed person is in violation of 339.150.2 RSMo, as well as a possible inducement violation. Negotiating a commission reduction is allowable, but the payment and/or crediting of the commission to an unlicensed principal or individual are not. Furthermore, if the recipient of the payment and/or credit is an affiliate licensee of a real estate company, pursuant to 339.100.2(12) RSMo, they must receive any commissions from the company or individual broker with whom their license is affiliated.

BROKER DISCLOSURE FORM

We have created a portrait style Broker Disclosure Form option which is located on our web page, www.pr.mo.gov/realestate.asp. When you click on Broker Disclosure Form you will have two options to choose from. The previous form (landscape printing format) is still available, but now there is a second option of printing the document using the portrait printing option.

(A copy of the Broker Disclosure Form in portrait print option is enclosed as an insert in this newsletter.)

REVISED APPLICATION FORMS

In the past few months, the Commission has revised most of its licensing applications. Please be sure to compare your office copies to the Commission website (www.pr.mo.gov/realestate.asp) to make sure you have the most up to date versions. **OLDER VERSIONS WILL BE CONSIDERED OBSOLETE AS OF APRIL 1, 2008 AND WILL NO LONGER BE ACCEPTED.** *(As it is the most frequently used form, a copy of the Application for License/Information Change form is included in this newsletter.)*

MISSOURI BROKER DISCLOSURE FORM



This disclosure is to enable you, a prospective buyer, seller, tenant or landlord of real estate, to make an informed choice BEFORE working with a real estate licensee.

Missouri law allows licensees to work for the interest of one or both of the parties to the transaction. The law also allows the licensee to work in a neutral position. How the licensee works depends on the type of brokerage service agreements involved. Since the sale or lease of real estate can involve several licensees, it is important that you understand what options are available to you regarding representation and to understand the relationships among the parties to any transaction in which you are involved.

Missouri laws require that if you want representation, you must enter into a written agreement. This may or may not require you to pay a commission. You do not need to enter into a written agreement with a transaction broker unless you intend to compensate this licensee. These agreements vary and you may also want to consider an exclusive or nonexclusive type of relationship.

If you choose not to be represented by an agent, the licensee working with you may be working for the other party to the transaction.

CHOICES AVAILABLE TO YOU IN MISSOURI

Seller's or Landlord's Limited Agent

Duty to perform the terms of the written agreement made with the seller or landlord, ***to exercise reasonable skill and care for the seller or landlord, and to promote the interests of the seller or landlord*** with the utmost good faith, loyalty and fidelity in the sale, lease, or management of property.

Information given by the buyer/tenant to a licensee acting as a Seller's or Landlord's Limited Agent will be disclosed to the seller/landlord.

Buyer's or Tenant's Limited Agent

Duty to perform the terms of the written agreement made with the buyer or tenant, ***to exercise reasonable skill and care for the buyer or tenant and to promote the interests of the buyer or tenant*** with the utmost good faith, loyalty and fidelity in the purchase or lease of property.

Information given by the seller/landlord to a licensee acting as a Buyer's or Tenant's Limited Agent will be disclosed to the buyer/tenant.

Sub-Agent (Agent of the Agent)

Owes the same obligations and responsibilities as the Seller's or Landlord's Limited Agent, or Buyer's or Tenant's Limited Agent.

Disclosed Dual Agent

With the written consent of all parties, represents both the seller and the buyer or the landlord and the tenant.

A Disclosed Dual Agent may disclose any information to either party that the licensee gains that is material to the transaction.

A dual agent may not disclose information that is considered confidential, such as:

- Buyer/Tenant will pay more than the purchase price or lease rate

- Either party will agree to financing terms other than those offered
- Motivating factors for any person buying, selling or leasing the property
- Terms of any prior offers or counter offers made by any party.

Designated Agent

Acts as your specific agent, whether you are a buyer or tenant, or seller or landlord. When the broker makes this appointment, the other real estate licensees in the company do not represent you.

There are two exceptions with both resulting in dual agency:

1. The agent representing you as a buyer or tenant is also the agent who listed the property you may want to buy or lease.
2. The supervising broker of two designated agents becomes involved in the transaction.

Transaction Broker

Does not represent either party, therefore, does not advocate the interest of either party.

A transaction broker is responsible for performing the following:

- Protect the confidences of both parties
- Exercise reasonable skill and care
- Present all written offers in a timely manner
- Keep the parties fully informed
- Account for all money and property received
- Assist the parties in complying with the terms and conditions of the contract
- Disclose to each party of the transaction any adverse material facts known by the licensee
- Suggest that the parties obtain expert advice.

A transaction broker shall not disclose:

- Buyer/Tenant will pay more than the purchase or lease price
- Seller/Landlord will accept less than the asking or lease price
- Motivating factors of the parties
- Seller/Buyer will accept financing terms other than those offered.

A transaction broker has no duty to:

- Conduct an independent inspection of, or discover any defects in, the property for the benefit of either party
- Conduct an independent investigation of the buyer's financial condition.

Other Agency Relationships

Missouri law does not prohibit written agency agreements which provide for duties exceeding that of a limited agent described in this pamphlet.

This brokerage authorizes the following relationships:

- ☐ Seller's Limited Agent
- ☐ Landlord's Limited Agent
- ☐ Buyer's Limited Agent
- ☐ Tenant's Limited Agent
- ☐ Sub-Agent
- ☐ Disclosed Dual Agent
- ☐ Designated Agent
- ☐ Transaction Broker
- ☐ Other Agency Relationship

Broker or Entity Name and Address

**STATE OF MISSOURI**

DIVISION OF PROFESSIONAL REGISTRATION

MISSOURI REAL ESTATE COMMISSION

**APPLICATION FOR LICENSE/
INFORMATION CHANGE**

3605 MISSOURI BOULEVARD
P.O. BOX 1339
JEFFERSON CITY, MISSOURI 65102
TELEPHONE (573) 751-2628
FAX (573) 751-2777
www.pr.mo.gov/realestate.asp

FOR MREC USE ONLY

TYPE OF LICENSE				
SAL BRS	BRK INB	BRO IAS	BRA PCB	BRP PCS
NEW BROKER NAME				
DATE			FEE	

SECTION 1A ALL APPLICANTS MUST COMPLETE THIS SECTION

NAME OF APPLICANT (LAST, FIRST, MIDDLE, OR CORPORATION/PARTNERSHIP/ASSOCIATION)	LICENSE NUMBER OR SSN
PHYSICAL RESIDENCE ADDRESS (NUMBER, STREET, CITY, STATE, ZIP CODE)	HOME PHONE (INCLUDE AREA CODE)
MAILING ADDRESS IF DIFFERENT THAN RESIDENCE ADDRESS (PO BOX NUMBER, STREET, CITY, STATE, ZIP CODE)	

SECTION 1B ALL APPLICANTS MUST ANSWER THE FOLLOWING QUESTIONS, SIGN & DATE. IF YES, EXPLAIN ON A SEPARATE SHEET.

- A. Have you been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution in this state, or any other state, or of the United States, whether or not sentence was imposed? **NOTE: This includes Suspended Imposition of Sentence, Suspended Execution of Sentence, misdemeanor and felony convictions, and alcohol related offenses, i.e. DWI and BAC. Check yes if NOT previously disclosed to this Commission and provide the date of the conviction and/or pleading, nature of the offense, court location, and case number on a separate sheet.**
- ☐ YES ☐ NO
- B. Have you ever had a real estate application denied or your real estate license suspended, revoked, placed on probation, or otherwise disciplined in Missouri or any other state or jurisdiction? **Check yes if NOT previously disclosed to this Commission and provide name of state or jurisdiction, reason for denial or discipline and approximate dates on a separate sheet.**
- ☐ YES ☐ NO

SIGNATURE OF APPLICANT ▶	DATE
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SECTION 1C INDICATE CHANGE BEING REQUESTED AND SUBMIT APPLICABLE FEE. THE NUMBERED ITEMS IN THIS SECTION CORRESPOND WITH THE NUMBERED INSTRUCTIONS ON THE REVERSE SIDE.

- | | |
|---|--|
| <p>1. <input type="checkbox"/> Transfer Salesperson or Broker-Salesperson license to another Broker. Fee: \$50.00</p> <p>2. <input type="checkbox"/> Place license on inactive status. Fee: \$50.00</p> <p>3. <input type="checkbox"/> Reactivate Inactive Salesperson license. Fee: \$50.00</p> <p>4. <input type="checkbox"/> Change status to Broker-Salesperson. Fee: \$50.00</p> <p>5. <input type="checkbox"/> Change status to Individual Broker. Fee: \$50.00</p> <p>6. <input type="checkbox"/> Change status to or transfer <input type="checkbox"/> Broker-Officer, <input type="checkbox"/> Broker-Partner or <input type="checkbox"/> Broker-Associate license. Fee: \$50.00
Title Choices: Broker Officer - Pres., Vice Pres., Asst. Vice Pres., Secretary, Asst. Sec., Treasurer, CEO, Director; Broker Associate - Manager, Member, Organizer Indicate Title: _____</p> <p>7. <input type="checkbox"/> Obtain additional license <input type="checkbox"/> Broker, <input type="checkbox"/> Broker-Officer, <input type="checkbox"/> Broker-Partner or <input type="checkbox"/> Broker-Associate license. Fee \$50.00
Title Choices: Broker Officer - Pres., Vice Pres., Asst. Vice Pres., Secretary, Asst. Sec., Treasurer, CEO, Director; Broker Associate - Manager, Member, Organizer Indicate Title: _____</p> <p>8. <input type="checkbox"/> Replace lost, stolen or destroyed license. Complete Section 1A, 1C and 2B. Fee: \$25.00</p> <p>9. <input type="checkbox"/> Remove licensee from Broker's or entity's affiliation. No fee required. Complete Section 1A, 1C and 2A.</p> <p>10. <input type="checkbox"/> Change name of Corporation, Partnership or Association. Resident fee \$80.00; Nonresident fee \$150.00. Complete Section 1A with former name and Section 2B with new name.</p> | <p>11. <input type="checkbox"/> Change, add or cancel fictitious name or trade name. Provide name and mark appropriate box below. Attach copy of approved registration from the Secretary of State's office. If using trade name, attach copy of complete signed agreement.</p> <p>_____</p> <p><input type="checkbox"/> New <input type="checkbox"/> Additional <input type="checkbox"/> Cancel <input type="checkbox"/> Replacing _____</p> <p>12. <input type="checkbox"/> Branch office notification. Complete Sections 1A and 1C. Section 2B must be completed by the broker or designated broker. Mark appropriate box and provide the following:</p> <p><input type="checkbox"/> New/additional branch <input type="checkbox"/> Change in branch <input type="checkbox"/> Closing branch</p> <p><input type="checkbox"/> Change in branch manager</p> |
|---|--|
- | | | |
|--|---------------------------------------|-------------|
| BRANCH OFFICE MANAGER | | LICENSE NO. |
| BRANCH OFFICE LOCATION | | |
| | | |
| PHONE NUMBER | FORMER BRANCH MANAGER (IF APPLICABLE) | |
| FORMER BRANCH LOCATION (IF APPLICABLE) | | |

SECTION 2A	SIGNATURE OF FORMER BROKER ▶	FORMER BROKER NAME, PRINTED OR TYPED	DATE
	ADDRESS OF FORMER BROKER/ENTITY (NUMBER, STREET, CITY, STATE, ZIP CODE)		BUSINESS PHONE (INCLUDE AREA CODE)
SECTION 2B	SIGNATURE OF BROKER ▶	BROKER NAME, PRINTED OR TYPED	DATE
	NAME OF BROKER/CORPORATION/PARTNERSHIP/ASSOCIATION AS IT APPEARS ON LICENSE		MO BROKER/ENTITY LICENSE NO., IF APPLICABLE
	BUSINESS ADDRESS (MAIN OFFICE ONLY) (NUMBER, STREET, CITY, STATE, ZIP CODE)		BUSINESS PHONE (INCLUDE AREA CODE)

GENERAL INSTRUCTIONS

- A. Type or print LEGIBLY. Use black ink. INCOMPLETE APPLICATIONS WILL BE RETURNED FOR CORRECTION.
- B. When a fee is required, the amount is indicated. Make check or money order payable to the "Missouri Real Estate Commission." **All fees are nonrefundable.**
- C. Attach license when applicable. If the license has been lost, stolen or destroyed, the broker must attach a signed explanation.
- D. Any applicant reactivating an inactive license or a license that has been noncurrent for over six months must attach a copy of the appropriate 48-hour pre-examination school certificate showing proof of course completion within six months of application to reactivate.
- E. Mail the application to: Missouri Real Estate Commission, P.O. Box 1339, Jefferson City, MO 65102. Hand delivery or express delivery service: Missouri Real Estate Commission, 3605 Missouri Blvd., Jefferson City, MO 65109.
- F. The new license will be mailed to the brokerage approximately 2 - 3 weeks after the properly completed application is received by the Commission. To expedite and request a temporary work permit, enclose a stamped envelope addressed to the brokerage.

Additional information on specific changes is provided below:

- 1. **TRANSFER SALESPERSON OR BROKER-SALESPERSON LICENSE TO ANOTHER BROKER:** Complete Section 1A, 1B and 1C. The former broker must complete Section 2A and attach the applicant's license. The former broker's signature is not required if the applicant's license has been previously returned to the Commission. The new broker must complete Section 2B. Refer to 20 CSR 2250-4.050(4).
- 2. **PLACE LICENSE ON INACTIVE STATUS:** Complete Section 1A, 1B and 1C. Former broker must complete Section 2A and attach applicant's license. A closing form must be submitted with this application if the applicant holds a broker license or the applicant is the only licensed broker-officer, broker-partner or broker-associate of a corporation, partnership or association. **NOTE: Before an inactive license may be reactivated, the appropriate pre-examination course must be completed.**
- 3. **REACTIVATE INACTIVE SALESPERSON LICENSE:** Complete Section 1A, 1B and 1C. Attach inactive license. Attach pre-examination school certificate (48 hour course) showing proof of completion of the pre-examination course within six months of application to reactivate license. Section 2B must be completed by the new broker.
- 4. **CHANGE STATUS TO BROKER-SALESPERSON:** Complete Section 1A, 1B and 1C. Attach license. If inactive, attach inactive license and refer to D of the general instructions. The new broker must complete Section 2B. A closing form must be submitted with this application if the applicant holds a broker license or the applicant is the only licensed broker-officer, broker-partner or broker-associate of a corporation, partnership, or association.
- 5. **CHANGE STATUS TO INDIVIDUAL BROKER:** Complete Section 1A, 1B, 1C and 2B. Former broker must complete Section 2A and attach applicant's license. If inactive, attach inactive license and refer to D of the general instructions. Attach Consent to Examine and Audit Escrow or Trust Account form. Complete Part II if not maintaining an account. If using a fictitious name, complete #11 in Section 1C and refer to #11 below. A closing form must be submitted with this application if the applicant is the only licensed broker-officer, broker-partner or broker-associate of a corporation, partnership, or association.
- 6. **CHANGE STATUS TO OR TRANSFER BROKER-OFFICER, BROKER-PARTNER OR BROKER-ASSOCIATE LICENSE:** Complete Section 1A, 1B and 1C. The designated broker must complete Section 2B. If obtaining a broker-officer or broker-associate license, provide title in Section 1C, #6. Former broker must complete Section 2A and attach applicant's license. A closing form must be submitted with this application if the applicant holds a broker license or the applicant is the only licensed broker-officer, broker-partner or broker-associate of a corporation, partnership or association (LLC). If applicant will be the designated broker of the firm, attach a Change in Designated Broker form. If inactive, attach inactive license and refer to D of the general instructions.
- 7. **OBTAIN ADDITIONAL BROKER, BROKER-OFFICER, BROKER-PARTNER OR BROKER-ASSOCIATE LICENSE:** Complete Section 1A, 1B, 1C and 2B. If adding a broker-officer or broker-associate to a corporation or association (LLC), the designated broker must complete Section 2B. If obtaining a broker-officer or broker-associate license, provide title in Section 1C, #7. If becoming the designated broker, attach a Change in Designated Broker form. If becoming a broker, attach Consent to Examine and Audit Escrow or Trust Account form. Complete Part II if not maintaining an account.
- 8. **REPLACE LOST, STOLEN OR DESTROYED LICENSE:** Complete Section 1A and 1C. Broker must complete Section 2B.
- 9. **REMOVE LICENSEE FROM BROKER'S OR ENTITY'S AFFILIATION:** Attach license. Complete Section 1A, 1C and 2A. No fee required.
- 10. **CHANGE NAME OF CORPORATION, PARTNERSHIP OR ASSOCIATION:** Complete Section 1A with former name. Attach entity license. Designated broker must complete Section 2B with new name and address. If a corporation, attach approved copy of Certificate of Amended Name Change. If a partnership, attach approved copy of Fictitious Name Registration. If an association (Limited Liability Company), attach approved copy of Amendment of Articles of Organization.
- 11. **CHANGE, ADD, CANCEL OR REPLACE FICTITIOUS NAME OR TRADE NAME:** Complete Section 1A and 1C. Submit a copy of the Fictitious Name Registration which has been approved by the Missouri Secretary of State's Office. Include a signed copy of the new/amended franchise agreement or trade agreement, if applicable. Section 2B must be completed by the broker or designated broker.

AUDITOR'S CORNER

Common Problems from Property Management Audits:

Listed below are common problems the Missouri Real Estate Commission examiners find during a property management audit. Any list such as this will vary from time to time with changing market conditions and industry practices:

1. Management agreements not in compliance with current regulations: All third-party property management must include a written management agreement between the owner and the broker and that management agreement must comply with 20 CSR 2250-8.210.
2. Lack of disclosure on leases: All leases for third party owners must include a brokerage relationship disclosure. The disclosure must comply with 20 CSR 2250-8.096.
3. Accounts not registered with the Commission: Brokers must place all funds belonging to others in a registered escrow account. This account must be properly registered with the Commission. When the account is closed or there is a change to the bank, the Commission must be notified of the closure or the change. Accounts may be registered, changed, or closed with the MREC by using a Consent to Examine and Audit Escrow or Trust Account form, available for download at www.pr.mo.gov/realestate.asp.
4. Property management escrow accounts not properly maintained:
 - a. A broker must establish and maintain at least one separate escrow account, designated as a property management escrow account, for the deposit of current rents and of money received from the owners to pay property related expenses. A broker may establish more than one such account. Tenants' security deposits and any rent other than current rent held by the broker must be maintained, intact, in an escrow account other than the property management escrow account unless all the parties who have an interest in the funds have agreed otherwise, in writing.
 - b. The broker may maintain up to \$1,000.00 of his/her own money in an escrow account to cover items like bank fees. However, the broker should not pay personal bills from an escrow account or keep more than the \$1,000.00 limit. Any such activity could be considered commingling.
 - c. Escrow accounts may be interest bearing. However, the broker must disclose in writing, usually through the management agreement, who is to receive the interest. If the broker receives the interest, it must be removed from the escrow account on a monthly basis. If the interest belongs to the owner or tenant, it may remain in the account. However, the broker is responsible for maintaining records to track all accrued interest in the account.
 - d. Negative owner balances: The broker should never disburse funds from an escrow account unless that owner has sufficient funds to cover the disbursement.
5. Terms of the management agreement not being followed: Common violations examiners have found include incorrect amount of management fees taken, disposition of tenant late fees, and security deposits and/or prepaid rents not held where specified. Property managers should review their management agreements periodically to confirm that they are following all of the terms to which they have agreed.

TRANSFER PROCESS

Some years back a regulation was put in place to help expedite the license transfer process. However, the Commission is seeing a growing number of licensees who begin working for a new broker yet their transfer documents either never reach the Commission office or are rejected for not being completed properly and the transfer never takes place. Therefore, unless the new broker ensures the Application for License/Information Change form is complete and submits the application and other pertinent documents by hand delivery or by certified or registered mail or via overnight delivery so as to provide proof of delivery, the individual must wait for the new broker to receive their work permit before starting to work. **Mailing the documents by regular mail does not meet the regulatory requirements to allow immediate transfer.**

Assuming that everything is okay or “no news is good news” is not acceptable and both the transferring licensee and the broker risk disciplinary action for improper activity. Also, if the application is deemed incomplete, the transfer will NOT be effective until the properly completed application is received by the Commission and the new broker receives the license or the work permit.

To help eliminate future problems, the Commission has implemented a practice of attempting to call the new broker (or leaving a voice message when necessary) when an application is being returned to the licensee for correction if the application was mailed by certified, registered or overnight delivery. If the new broker has not received a work permit or new wall license within two weeks, call or e-mail the Commission to check on the application status or refer to page 7 on how to verify a licensee’s broker affiliation.

CORRECTION - AGENT’S HANDSHAKE

In the last newsletter the Commission stated that a website tool labeled as an ‘agent handshake’ agreement was being promoted and this type of advertising of others’ listings was not in compliance with statutes and regulations and such advertising should cease. After publication, the Commission was asked to further review additional information that was provided to them. After review, the Commission has decided that it appears that the ‘agent’s handshake’ agreement tool is in compliance with Missouri law as long as the agent handshake ‘partners’ have the permission of ‘the owner or his/her duly authorized agent’ to advertise or list the property. The MREC expressly reserves the right to alter and/or modify its decision in the future if deemed appropriate.

DISCIPLINARY ACTIONS

Akushe, Napoleon O.
St. Louis, MO

By Order of the MREC, Akushe's broker-salesperson license was placed on one year probation beginning October 26, 2007.

Violations: 339.100.2 (15) and (17) RSMo 2000

On or about February 21, 2003, Akushe pleaded guilty to criminal non-support.

Allen, Don C.
Blackjack, MO

By Order of the MREC, Allen was issued a one-year probated salesperson license on June 15, 2007.

Violations: 339.100.2 (15) and (16) RSMo

On or about May 16, 2003, Allen entered into an Alford Plea for possession of a controlled substance.

Burns, Christopher
St. Louis, MO

By order of the MREC, Burns was issued a three-year probated salesperson license on August 17, 2007.

Violations: 339.100.2 (15) and (16) RSMo

In or about 1997, Burns pleaded guilty to distribution and possession with intent to distribute cocaine and distribution and possession with the intent to distribute a mixture and substance containing a cocaine base.

Cooper, Lonnie
Neosho, MO

By Order of the MREC, Cooper was issued a three-year probated salesperson license beginning February 28, 2007.

Violations: 339.100.2 (16), (18) and (19) RSMo Cum. Supp. 2004

On or about December 20, 1999, Cooper pleaded guilty to the crime of non-support.

Crow Brokerage Inc.
Clayton, MO

By Joint Stipulation with the MREC, the real estate corporation license of Crow Brokerage Inc. was placed on one year probation beginning September 13, 2007.

Violations: 339.100.2 (1), (14) and (22) and RSMo

The MREC staff conducted an escrow audit on the records of Crow Brokerage Inc. and the following violations were found: an unlicensed individual executed property management agreements on behalf of the brokerage, provided inaccurate listing of all escrow accounts under control of the brokerage, failed to register all escrow accounts, shortages were noted in escrow accounts, failed to allow access to all escrow accounts, held funds of others without authorization, failed to retain records necessary to determine the adequacy of the escrow accounts, provided management services without having a current written property management agreement, and failed to ensure that a licensee, who was also a buyer, completed a written confirmation of their agency relationship to the seller.

Crum, Ray E.
Cape Girardeau, MO

By Order of the MREC, Crum was issued a two-year probated salesperson license beginning February 28, 2007.

Violations: 339.100.2 (10), (16), (18) and (19) RSMo Cum. Supp. 2004

On or about February 14, 2004, Crum pleaded guilty to non-support and failed to disclose this on his application.

Dougherty, Alexis
Osage Beach, MO

By Order of the MREC, Dougherty was issued a four-year probated salesperson license on June 20, 2007.

Violations: 339.100.2 (15) and (16) RSMo

On or about August 2, 2004, Dougherty pleaded guilty to assault in the second degree – vehicle injury.

Gold, Lisa
Springfield, MO

By Joint Stipulation with the MREC, Gold's salesperson license was placed on probation for three years beginning May 18, 2007.

Violations: 339.100.2 (2), (4), (5), (14), (15) and (18) RSMo

Gold amended a sales contract to increase the sales price and also required the seller to pay \$1,300 of the buyer's closing cost. Gold did not obtain the buyers' and/or sellers' approval or initials for the changes. Gold then faxed the amended contract to the title company. The buyers and sellers hesitantly agreed to, and signed, a separate addendum that contained these terms.

Gooch, Stephanie
St. Louis, MO

By Order of the MREC, the probation imposed against Gooch's salesperson license was extended two years and will commence upon reactivation.

Violations: 620.153 and 339.100.3 RSMo 2000

Gooch failed to submit quarterly reports to the MREC as required by the Probated License Order that issued her a two-year probated salesperson license on February 28, 2006.

Hartman, Ronald P., II
Springfield, MO

By Order of the MREC, Hartman was issued a five-year probated salesperson license beginning October 16, 2007.

Violations: 339.100.2 (16), (18) and (19) RSMo Cum. Supp. 2004

On or about March 30, 2007, Hartman pleaded guilty to possession of a controlled substance with intent to distribute.

Hollis, Kristina
St. Charles, MO

By Order of the MREC, Hollis was issued a two-year probated salesperson license beginning December 18, 2007.

Violations: 339.100.2 (16), (18) and (19) RSMo Cum. Supp. 2006

On or about May 1, 1990, Hollis pleaded guilty to passing a bad check in Franklin County, Missouri. On or about September 25, 1992, Hollis pleaded guilty to passing a bad check in St. Louis County, Missouri. On or about April 15, 2003, Hollis pleaded guilty to stealing.

Hummel, Mark
St. Louis, MO

By order of the MREC, Hummel was issued a five-year probated salesperson license on August 17, 2007.

Violations: 339.100.2 (15) and (16) RSMo

On or about April 20, 2007, Hummel pleaded guilty to DWI and possession of a controlled substance.

Independence Referral Group Inc.
Flory, Gary W.
Independence, MO

By Order of the MREC, the corporate real estate license of Independence Referral Group Inc. and the broker-officer and broker-associate licenses of Flory were revoked effective October 26, 2007.

Violations: 339.100.2 (15) and (16) RSMo

The MREC sent correspondence to Flory, the designated broker of Independence Referral Group Inc. on three separate occasions. An attorney representing the MREC also mailed correspondence to Flory requesting a response. Flory failed to respond to any of the correspondence mailed to him.

Jennings, Jonathan
Kansas City, MO

By order of the MREC, Jennings' real estate broker-associate licenses were revoked effective August 27, 2007.

Violations: 339.100.2 (16), and (18) RSMo

On or about April 19, 2006, Jennings pleaded guilty to wire fraud and money laundering.

Johnson, Yvette
Kansas City, MO

By Order of the MREC, Johnson was issued a two-year probated salesperson license beginning December 18, 2007.

Violations: 339.100.2 (16), (18) and (19) RSMo Cum. Supp. 2006

On or about November 4, 1986, Johnson pleaded guilty to stealing over \$150.00 in Jackson County, Missouri. On or about November 8, 1989, Johnson pleaded guilty to stealing – third offense in Jackson County, Missouri. On or about May 6, 1999, Johnson was found guilty of stealing over \$150.00 – prior and persistent offender. On or about October 26, 2006, the MREC denied Johnson's initial application for a real estate salesperson license. Johnson failed to disclose the 1986 and 1989 guilty pleadings on her initial application.

Kemp, John R., Jr.
Columbia, MO

By Order of the MREC, Kemp was issued a three-year probated salesperson license beginning December 18, 2007.

Violations: 339.100.2 (16), (18) and (19) RSMo Cum. Supp. 2006

On or about February 10, 1997, Kemp pleaded guilty to arson in the second degree in Boone County, Missouri, and received a suspended imposition of sentence. On or about February 8, 2000, the MREC denied Kemp's initial application for a real estate salesperson license. Kemp failed to disclose his guilty pleading on his initial application.

King, Victoria L.
St. Ann, MO

By Order of the MREC, King was issued a two-year probated salesperson license beginning February 28, 2007.

Violations: 339.100.2(10), (16), (18) and (19) RSMo Cum. Supp. 2004

On or about June 23, 1995 and January 19, 1996, King pleaded guilty to the criminal offense of stealing over \$150.00. On or about February 22, 1996, King pleaded guilty to the crime of delivery of a controlled substance. King failed to disclose the 1995 stealing conviction on her application.

Lambert, Kena L.
St. Louis, MO

By Order of the MREC, Lambert's salesperson license was placed on two years probation beginning May 4, 2007.

Violations: 339.100.2 (15) and (17) RSMo

On or about January 16, 2003, Lambert pleaded guilty to the criminal charge of forgery.

Linton, Jeanne M.
Florissant, MO

By Order of the MREC, Linton's broker-associate license was revoked effective June 29, 2007.

Violations: 339.100.2 (2), (15), and (16) RSMo

Linton's broker-associate license was suspended on February 1, 2005, for her failure to pay state income tax pursuant to HB600. Subsequent to February 1, 2005, Linton conducted the following activity that required a real estate license: on February 8, 2005, she acted as a selling broker in a real estate transaction; on February 25, 2005, she acted as a listing broker in another real estate transaction; on March 4, 2005, she supervised a real estate licensee conducting activity as a listing agent in a real estate transaction; and on March 28, 2005, April 4, 2005, and April 8, 2005, she supervised real estate licensees conducting activity as the selling agents in a real estate transaction.

Luaces, Kimberly C.
Kansas City, MO

By Order of the MREC, Luaces' broker-partner license was revoked effective May 4, 2007.

Violations: 620.153 RSMo 2000

On or about August 24, 2005, Luaces was issued a probated broker-partner license. The probation was for a period of five years. Luaces failed to comply with the terms and conditions of the probated license order.

Luster, Sheri K.
St. Louis, MO

By Order of the MREC, Luster was issued a three-year probated salesperson license beginning February 26, 2007.

Violations: 339.100.2 (16), (18) and (19) RSMo Cum. Supp. 2004

On or about September 14, 1990, Luster pleaded guilty to bank fraud/check kiting.

Moffitt, Misty R.
Osage Beach, MO

By Order of the MREC, Moffitt was issued a one-year probated salesperson license beginning October 16, 2007.

Violations: 339.100.2 (16), (18) and (19) RSMo Cum. Supp. 2004

On or about August 12, 2003, Moffitt pleaded guilty to DWI, possession of a controlled substance, and failure to maintain financial responsibility.

Morgan, Paul
Kansas City, MO

By Order of the MREC, Morgan's broker license was revoked effective June 29, 2007.

Violations: 339.100.2 (1), (3), (14), (15) and (18) RSMo

On or about July 16, 2001, Morgan and another individual entered into a partnership agreement to purchase, rehabilitate, and resell property. Morgan accepted funds from his partner to purchase the property; however, he never purchased the property

or returned the funds. Morgan failed to respond to correspondence sent to him by the MREC.

Prewitt, LaSalle
Raytown, MO

By Order of the MREC, Prewitt was issued a three-year probated salesperson license beginning October 16, 2007.

Violations: 339.100.2 (16), (18) and (19) RSMo Cum. Supp. 2004

On or about May 30, 2002, Prewitt pleaded guilty to conspiracy to distribute and possession with intent to distribute cocaine base.

Quinly, Joseph A.
Kansas City, MO

By Order of the MREC, Quinly was issued a one-year probated salesperson license on June 20, 2007.

Violations: 339.100.2 (15) and (16) RSMo

On or about September 1, 2004, Quinly pleaded guilty to non-support of a child. On or about July 18, 2001, he was convicted of domestic battery, and on or about June 20, 2001 and on or about October 20, 1994, Quinly pled guilty to DWI.

Rainey, Dwayne
St. Louis, MO

By Order of the MREC, Rainey was issued a three-year probated salesperson license on August 17, 2007.

Violations: 339.100.2 (15) and (16) RSMo

On or about December 14, 1999, Rainey pleaded guilty to aiding and abetting in the distribution of cocaine.

Randolph, Carroll L.
Gideon, MO

By Settlement Agreement with the MREC, Randolph's two real estate broker-officer licenses were revoked effective April 21, 2007.

Violations: 339.100.2 (1), (15), and (16) RSMo

The MREC staff conducted an escrow audit on the records of Royal Realty LLC, of which Randolph was the designated broker, and the following violations were found: closing funds were deposited into and disbursed from the company's operating account, use of unregistered fictitious names, failure to retain records, use of Missouri Broker Disclosure Form not prescribed by the MREC, and use of forms not approved by legal counsel.

Reece & Nichols Clinton LLC
Dennis, Doris Jean
Clinton, MO

By Settlement Agreement with the MREC, the licenses of Reece & Nichols Clinton LLC and Dennis were placed on three years probation beginning March 20, 2007.

Violations: 339.100.2 (14), (15), (16), (18) and (19) RSMo

The MREC staff conducted an escrow audit on the records of Reece & Nichols Clinton LLC, of which Dennis was the designated broker, and the following violations were found: use of unregistered fictitious names, listing agreement did not contain all of the terms and conditions under which the property was to be sold, change to the listing was not initialed by all parties, listing agreement did not contain a statement which permitted or prohibited the licensee from acting as a dual agent, licensee's agency relationship was not disclosed in writing to the parties of a transaction, brokerage had not adopted a written policy that identified and described the agency relationships offered by the brokerage, all terms of the offer were not included in the contract, all parties failed to sign the contract or counteroffer addendum, all parties failed to initial changes made to the offer, broker failed to verify the accuracy and completeness of the closing statement, failed to retain records related to the transaction, and failed to respond to correspondence from MREC in writing and within 30 days.

Roberts, David E.
Warrensburg, MO

By Order of the MREC, Roberts' broker-salesperson license was placed on five years probation beginning May 4, 2007.

Violations: 339.100.2 (15) and (17) RSMo

On or about November 20, 2003, Roberts pleaded guilty to the criminal offense of wire fraud.

Rodriguez, Eric
Freeman, MO

By Order of the MREC, Rodriguez was issued a one-year probated salesperson license beginning October 16, 2007.

Violations: 339.100.2 (16), (18) and (19) RSMo Cum. Supp. 2004

On or about August 22, 2006, Rodriguez pleaded guilty to possession with the intent to use drug paraphernalia and possession of marijuana.

Rogers, Anthony K.
St. Louis, MO

By Order of the MREC, Rogers was issued an eighteen-month probated salesperson license on June 20, 2007.

Violations: 339.100.2 (15) and (16) RSMo

On or about June 20, 2003, Rogers pleaded guilty to criminal non-support.

Santa Fe Real Estate Corporation
Flory, Gary W.
Independence, MO

By Order of the MREC, the corporate real estate license of Santa Fe Real Estate Corporation and the broker-officer and broker-associate licenses of Flory were revoked effective October 26, 2007.

Violations: 339.100.2 (14) and (15) RSMo

Flory completed the renewal application of Santa Fe Real Estate Corporation in 2000 and 2002 with the misrepresentation that the company's status with the Missouri Secretary of State had not lapsed or been terminated. In 2004, Flory completed the renewal application for Santa Fe Real Estate Corporation with the misrepresentation that the corporation was in good standing with the Missouri Secretary of State's office.

Also, an audit was conducted on the records of Santa Fe Real Estate Corporation and the following violations were found: insufficient funds checks were written in the company's property management escrow account, shortages were found in the escrow accounts, some company operating expenses were paid from the escrow account, failed to notify the MREC of a change with an escrow account, failed to register escrow accounts with

the MREC, failed to maintain records necessary to determine the adequacy of the escrow account, failed to maintain all bank statements and/or cancelled checks of an escrow account, failed to identify the related transaction on the check or check stub and/or deposit ticket, and failed to register a fictitious name with the Secretary of State and the MREC.

Taylor, Justin Matthew
St. Louis, MO

By Order of the MREC, Taylor was issued a five-year probated salesperson license beginning October 16, 2007.

Violations: 339.100.2 (16), (18) and (19) RSMo Cum. Supp. 2004

On or about January 3, 2006, Taylor pleaded guilty to DWI, and possession of a loaded firearm while intoxicated.

Thurman, James A.
St. Charles, MO

By Order of the MREC, Thurman's broker-officer license was revoked effective May 4, 2007.

Violations: 339.100.2 (1), (2), (3), (14), (15) and (17) RSMo

On or about August 26, 2005, Thurman pleaded guilty to the criminal charge of wire fraud.

Watson, Shannon
Richland, MO

By Settlement Agreement with the MREC, Watson's salesperson license was suspended for two years, beginning January 25, 2007, followed by three years probation.

Violations: 339.100.2 (3), (14) and (15) RSMo

An audit conducted on the company that held Watson's license in 2004 cited Watson with the following violations: all parties to the transaction did not sign the contract and/or initial changes made to the contract and/or addendum; late deposit of earnest money; agency confirmation was not dated by the buyer and/or seller; inaccurate disclosure of agency relationship; all requirements of the listing agreement were not met; changes to the listing agreement were not initialed by the seller; lease agreements did not confirm that brokerage relationships had been

disclosed; advertised a property at a price different than the list price; the management agreement did not contain all of the required elements; and expenses paid for owner's property were not identified on the owner's statements.

HOUSE BILL 600 SUSPENSIONS FOR FAILURE TO PAY STATE INCOME TAX

The following professional licensees were suspended pursuant to Section 324.010 RSMo for failure to file and/or pay Missouri income tax. Some licensees have taken the necessary steps to reinstate their licenses. Please go to www.pr.mo.gov and use the Licensee Search icon to verify whether or not the license has been reinstated. If the license has been reinstated their name will appear as an active licensee.

Bauer, Travis – Kansas City, MO
Cooper, Curtis Allen – Kansas City, MO
Davis, Mark R. – Springfield, MO
Dodson, Darren – Linn Creek, MO
Haeffner, Amy – Winfield, MO
Hart, William Lanster – St. Louis, MO
Hiatt, Matthew – St. Louis, MO
Incle, Wanda Faye – Blue Springs, MO
Moore, Mahogany M. – St. Louis, MO
Pusateri, Vincente – Lake St. Louis, MO
Reynolds, Jamus R. – Kansas City, MO
Samples, David Daniel – Brookline Station, MO
Schultz, Jennifer – Smithville, MO
Still, Tina L. – Dawn, MO
Taylor, Linda D. – St. Louis, MO
Thomas, Joshua – Kansas City, KS
Vogel, Nina L. – Olivette, MO

DIFFERENCE BETWEEN AN INACTIVE LICENSE AND HAVING A REFERRAL COMPANY HOLD YOUR LICENSE

As referral companies gain in popularity, this office is seeing more licensees comment that their license is in a referral status. There is no such status in this state. Licensees seem to be confused as to the difference between placing their licenses on an “inactive” status and placing their license with a real estate company that does referrals only. Therefore, here is a brief description of what it means if you have placed your license on “inactive” or placed your license with a referral company.

Inactive License – Licensee has requested the Missouri Real Estate Commission change their license status to inactive. The request must be made on the Application for License/Information Change form. A license will be sent to the licensee clearly printed with the word “inactive.” If your license is in an inactive status, the licensee cannot be associated with a broker or engage in any activity for which a license is required. A licensee with an inactive license will not be required to complete the continuing education requirement for license periods during which the license is inactive, however, the licensee must continue to renew. To reactivate the license, the licensee will have to complete the pre-examination course and make proper application.

Referral Company Holding License – If the licensee has a referral company holding their license, the license is still considered “active.” The Commission makes no distinction between a referral company and other licensed real estate brokerages. A licensee that has their license with a referral company is associated with a broker and is considered to be engaging in real estate activity. A licensee affiliated with a referral company is required to complete all continuing education requirements and renew every two years.

MISSOURI REAL ESTATE COMMISSION APPROVED CONTINUING EDUCATION SCHOOLS

Schools listed below have had courses approved for continuing education credit. Licensees must contact schools for class dates, times and locations. Licensees should ensure that the class they have signed up for has been approved for Missouri credit. This list of schools is subject to change without notice. *The list is current as of February 27, 2008.*

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d/b/a Bayview 1031
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www.bayview1031.com

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